

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAURA RODRIGUEZ-MORENO, *et al.*,

Defendants.

CASE NO. CR20-0136-JCC

ORDER

This matter comes before the Court on unopposed motion of Defendants Rodriguez-Moreno, Arias-Garcia, Hernandez, and Vizcarra (“Moving Defendants”) to Continue Trial Date (Dkt. No. 148).¹ Having thoroughly considered the parties’ briefing and the relevant record, the Court finds oral argument unnecessary and hereby GRANTS the motion for the reasons explained below.

Trial in this matter is currently set for October 4, 2021; pretrial motions were due August 3, 2021. (Dkt. No. 112.) Moving Defendants seek a continuance of the trial date to April or May 2022, citing the need to review voluminous discovery, the complexity of the case, ongoing pretrial negotiations, and the need to adequately prepare for trial in light of Defendant Rodriguez-Moreno’s counsel’s recent appointment. (*See* Dkt. No. 148 at 2–3.) Based on the

¹ Joaquin Guerrero-Serrano, the only nonmoving Defendant, has not opposed Moving Defendants’ requested continuance.

foregoing, the Court FINDS as follows:

1. The ends of justice served by granting the requested continuance outweigh the best interests of Defendants and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

2. Taking into account the exercise of due diligence, the failure to grant the continuance would deny defense counsel the reasonable time necessary for effective preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).

3. The ends of justice will be served by ordering a continuance in this case, as a continuance is necessary to ensure adequate time for the defense to review discovery and effectively prepare for trial.

Additionally, the Court holds that the duration of this continuance is excluded from the nonmoving Defendant's speedy trial calculation because it is "a reasonable period of delay" within the meaning of 18 U.S.C. § 3161(h)(6). *See United States v. Messer*, 197 F.3d 330, 337 (9th Cir. 1999).

IT IS THEREFORE ORDERED that the trial date shall be continued to May 31, 2022, and that the pretrial motions deadline is reset to March 29, 2022.

IT IS FURTHER ORDERED that the resulting period of delay from the filing of the motion to continue to the new trial date is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(i), (iv).

DATED this 7th day of September 2021.

A handwritten signature in black ink, appearing to read "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE